

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Stefan KREBS  
International Application No. : PCT/EP00/04951  
International Filing Date : 31 May 2000  
U.S. Serial No. : 10/069,899  
For : **METHOD OF PRODUCING A SAMPLE OF A  
TREATMENT OUTCOME ON A TEXTILE  
SPECIMEN**

Assistant Commissioner  
for Patents  
Box PCT  
Washington, D.C. 20231

Attention: DO/EO/US

**RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed May 1, 2002, Applicants submit herewith a fully executed Declaration and Power of Attorney in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventor executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

The Office is authorized to charge the 37 C.F.R. §1.16(e) fee of **\$130.00** to cover the surcharge for late filing of the Declaration to **Deposit Account No. 11-0600**. The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment.

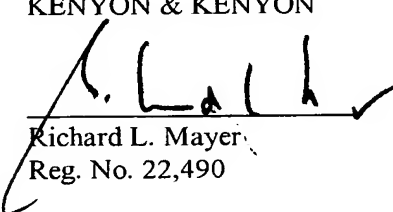
An additional copy of this letter is enclosed for this purpose.

05/22/2002 GFREY1 00000069 110600 10069899  
01 FC:154 130.00 CH

Date: 5/17/02

Respectfully submitted,

KENYON & KENYON

  
Richard L. Mayer  
Reg. No. 22,490

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New York, NY 10004  
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[38800/572]

DECLARATION AND POWER OF ATTORNEY

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **METHOD OF PRODUCING A SAMPLE OF A TREATMENT OUTCOME ON A TEXTILE SPECIMEN**, the specification of which was filed as International Application No. PCT/EP00/04951, on 31 May 2000, an English translation of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

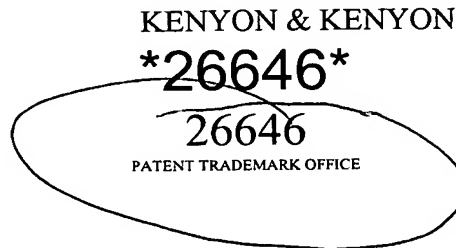
I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

(Number)	(Country)	(Day/month/year filed)	Priority Claimed Under 35 USC 119	
199 40 608.1	Fed. Rep. of Germany	27 August 1999	Yes <u>X</u>	No <u>  </u>

And I hereby appoint Richard L. Mayer (Registration No. 22,490) and David I. Greenbaum (Registration No. 46,739) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:



Direct all telephone calls to Richard L. Mayer at (212) 425-7200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor:

1-D Stefan KREBS

Inventor's Signature:

Stefan Krebs

Date:

19. 04. 2002

Residence:

Sprödenalstrasse 86  
47799 Krefeld DEX  
Federal Republic of Germany

Citizenship:

Federal Republic of Germany

Post Office Address:

Same as above



UNITED STATES PATENT AND TRADEMARK OFFICE

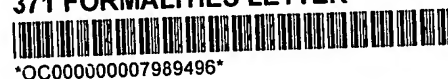
 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/069,899	FIRST NAMED APPLICANT Stefan Krebs	ATTY. DOCKET NO. 38800/572		
		INTERNATIONAL APPLICATION NO. PCT/EP00/04951		
		<table border="1"> <tr> <td>I.A. FILING DATE 05/31/2000</td> <td>PRIORITY DATE 08/27/1999</td> </tr> </table>	I.A. FILING DATE 05/31/2000	PRIORITY DATE 08/27/1999
I.A. FILING DATE 05/31/2000	PRIORITY DATE 08/27/1999			

 Kenyon & Kenyon  
 One Broadway  
 New York, NY 10004

CONFIRMATION NO. 5216

371 FORMALITIES LETTER



\*OC000000007989496\*

Date Mailed: 05/01/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Substitute Specification

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR**

EL 32755409405

**THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/069,899	PCT/EP00/04951	38800/572